

JOURNAL OF THE HOUSE.

Thursday, October 21, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mrs. Walrath of Stow in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, we pause for a moment of reflection and prayer and to thank You for our daily blessings which we often take for granted. Your always available guidance enables us to serve You and our constituents in a thoughtful and honorable manner. In our desire to comprehend and address current legislative and policy issues, help us to gather accurate data and to inspire us to be good listeners and open to the experiences and insights of others as we work together for the good of all people and our communities. May we remain faithful to our ideals, principles and values, both human and spiritual.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mrs. Walrath), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Appointment to a Special Commission.

Notice was received (on Friday, October 15, 2004) that Speaker Finneran of Boston had appointed (on September 28, 2004) Dr. Maureen Kavanah to the special commission established (pursuant to item 4512-0200 contained in section 2 of Chapter 149 of the Acts of 2004) to make an investigation and study relative to the diagnosis, prevention and treatment of cervical cancer in the Commonwealth.

Cervical
Cancer
Commission.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mr. DeLeo of Winthrop) on the occasion of the rededication of the William P. Gorman-Fort Banks elementary school; and

Gorman-Fort
Banks school.

Resolutions (filed by Mr. Speliotis of Danvers) in recognition of the Dunn Middle School's observance of "Red Ribbon Week";

Red
Ribbon
Week.

Mr. Scaccia of Boston, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. Kaufman of Lexington, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petition.*Murder
investigations.

Mr. Binienda of Worcester (by request) presented a petition (subject to Joint Rule 12) of Oscar J. Michaud for legislation to authorize licensed private investigators to investigate certain unsolved murders; and the same was referred, under Rule 24, to the committee on Rules.

Paper from the Senate.

The following notice was received from the Clerk of the Senate, to wit:

October 19, 2004.

Honorable Salvatore DiMasi
Speaker of the House of Representatives
Room 356 State House
Boston, MA 02133

Dear Mr. Speaker:

Central
Massachusetts,
mental health
facility.

I have the honor to inform you that Senate Minority Leader Brian P. Lees has announced the appointment of Senator Bruce E. Tarr to the special commission established (pursuant to Section 364 of Chapter 149 of the Acts of 2004) relative to the investigation and study of the feasibility of constructing a mental health facility in Central Massachusetts.

Respectfully submitted,

WILLIAM F. WELCH,
Clerk of the Senate.

*Reports of Committees.*Fagota
Tupe,
sick leave
bank.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the Senate Bill establishing a sick leave bank for Fagota Tupe, an employee of the Department of Correction (Senate, No. 2405) be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

North
Andover,
town
meeting
warrants.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to town meeting warrants in the town of North Andover (House, No. 4785) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

North
Andover,
board of
health.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to the board of health in the town of North Andover (House, No. 4786) [Local Approval Received] be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Under suspension of Rule 7A, on motion of Mr. Donato of Medford, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the House Bill relative to town meeting warrant summaries in the town of North Andover (House, No. 4787) [Local Approval Received] be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

North
Andover,
warrant
summaries.

Under suspension of Rule 7A, on motion of Mr. Kaufman of Lexington, the bill was read a second time forthwith; and it was ordered to a third reading.

Report of the committee on State Administration, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 5043) of Mark V. Falzone relative to authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to convey certain land in the town of Saugus to Thomas G. Kennedy.

Saugus,
land.

Under suspension of the rules, on motion of Mr. Kaufman of Lexington, the report was considered forthwith.

Pending the question on acceptance of the report, Mr. Falzone of Saugus moved that it be amended by substitution of a Bill authorizing the Commissioner of the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Saugus to Thomas G. Kennedy (House, No. 5110), which was read.

The amendment was adopted; and the substituted bill was referred, under Rule 33, to the committee on Ways and Means.

*Engrossed Bills.**Engrossed bills*

Authorizing the State Board of Retirement to grant creditable service to Joseph A. Quinlan (see Senate, No. 2116) (which originated in the Senate);

Bills
enacted.

Relative to pre-marital testing (see House, No. 75);

Authorizing the town of Adams to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises to Ericfly, Inc. (see House, No. 4984);

Authorizing the town of Adams to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises to Nicholas Enterprises, Inc. (see House, No. 4985); and

Authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land in the town of Bridgewater (see House, No. 5033, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Third
reading
bills.

Senate bills

Authorizing the town of Weston to regulate certain property tax exemption eligibility requirements for the elderly (Senate, No. 2053); and

Authorizing Joseph A. Vieira III to take the examination for firefighter notwithstanding the maximum age requirement (Senate, No. 2350) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

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House bills

Authorizing the town of Westport to develop and maintain a subsidized housing plan for low and moderate income housing (House, No. 5050); and

Authorizing the city of Revere to reinstate Michael Stuart as a firefighter (House, No. 5072) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

Next
sitting.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o'clock A.M.

At nineteen minutes after eleven o'clock A.M., on motion of Mr. Lepper of Attleboro (Mrs. Walrath of Stow being in the Chair), the House adjourned, to meet on Monday next at eleven o'clock A.M., in an Informal Session.